

99103002011000

Foundation - Have amendment to articles of association approved

Heruntergeladen am 09.06.2025

<https://fimportal.de/xzufi-services/1154/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99103002011000
Leistungsbezeichnung I	Foundation - Have amendment to articles of association approved
Leistungsbezeichnung II	Foundation - Have amendment to articles of association approved
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Bürgerliches Gesetzbuch (BGB)</p> <ul style="list-style-type: none"> • § 85 Voraussetzungen für Satzungsänderungen • § 85a Verfahren bei Satzungsänderungen
Teaser	<p>Amendments to the articles of association are permissible if they are in line with the founder's intentions at the time the foundation was established. Depending on the type of amendment, further requirements must be met.</p>
Volltext	<p>Amendments to the articles of association are permissible if they are in line with the founder's intentions at the time the foundation was established. Depending on the type of amendment, further requirements must be met.</p> <p>Amendments to the articles of association are made by the foundation's board of directors, unless the donor has granted another body the right to amend the articles of association in the articles of association. The responsible body must then amend the articles of association in accordance with the actual or presumed will of the donor. Amendments to the articles of association by foundation bodies require the approval of the foundation authority.</p>
Erforderliche Unterlagen	amended statutes of the foundation
Voraussetzungen	<p>The amendment is in line with the declared or presumed will of the donor. The will of the donor as laid down in the articles of association may only be modified in line with the times, but not changed in its tendency.</p> <p>Depending on the type of amendment, the following additional requirements must be met (the donor may, however, stipulate deviating regulations in the articles of association):</p>

Modul

Sachverhalt

- Amendments that give the foundation a different purpose or significantly restrict the foundation's purpose:

It is necessary that either the foundation's purpose can no longer be permanently and sustainably fulfilled or that the foundation's purpose jeopardises the common good.

- Changes to the purpose of the foundation in a different way or changes to other defining provisions of the articles of association (e.g. provisions on the name, the registered office, the manner in which the purpose is to be fulfilled and the management of the basic assets):

It is necessary that the circumstances have changed significantly after the establishment of the foundation and that the amendment is necessary to adapt the foundation to the changed circumstances.

- Other changes:

It is necessary that these changes serve the fulfilment of the foundation's purpose.

Kosten

25.00 to 1,500 euros

Exception: No costs are incurred for foundations that serve exclusively municipal, church, charitable or non-profit purposes.

Verfahrensablauf

You must submit the amended articles of association to the foundation authorities in writing.

Note: For resolutions on amendments to the articles of association that affect tax aspects, you must also obtain the prior approval of the tax office.

Modul	Sachverhalt
	The foundation authority will inform you of the approval of the amendment to the articles of association by means of a notice.
Bearbeitungsdauer	
Frist	none
weiterführende Informationen	
Hinweise	The foundation authority can also amend the articles of association in accordance with the aforementioned standards if the amendment to the articles of association is necessary and the responsible foundation body does not adopt it in good time.
Rechtsbehelf	Contradiction
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	